

1 MCGREGOR W. SCOTT  
United States Attorney  
2 COURTNEY J. LINN  
Assistant U.S. Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 Telephone: (916) 554-2700

5  
6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 APPROXIMATELY \$1,200,000.00 IN  
14 U.S. CURRENCY SEIZED FROM FIRST  
CALIFORNIA BANK ACCT. NO.  
2005638, ETC.,

15  
16 Defendants.

CIV-S-05-0149 WBS KJM

NOTICE RE: EXPIRATION OF STAY  
AND EX PARTE REQUEST TO SET A  
STATUS (PRETRIAL SCHEDULING)  
CONFERENCE HEARING

17  
18 By Stipulation and Order filed May 10, 2005, the Court directed  
19 counsel for the United States to cause this matter to be placed on the  
20 court's calendar for a Status Conference within thirty days from the  
21 conclusion of the federal criminal action presently pending against  
22 potential claim Schachter in the Eastern District of California, or  
23 upon the expiration of seven months from the date of this order.

24 The United States advises that Matthew Wallace Schachter a.k.a.  
25 Robert Lewis Brown died in custody. On November 21, 2005, the United  
26 States formally moved to dismiss the parallel criminal charges against  
27 him. United States v. Matthew Wallace Schachter, CR S-05-59 DFL.

Accordingly, the United States applies *ex parte* for an order setting this matter for a Status (pretrial scheduling) Conference on January 17, 2006, and requiring the parties to file separate status reports not less than five court days prior to the hearing.<sup>1</sup> Because of the case management and scheduling complexities this case may raise in light of United States v. \$4,224,958.57, 392 F.3d 1002 (9th Cir. 2004) ("Boylan"), the government requests that the Court schedule thirty (30) minutes for the Status (pretrial scheduling) Conference.

DATED: November 21, 2005

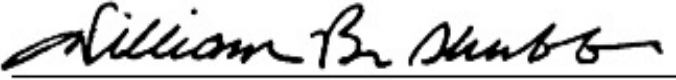
McGREGOR W. SCOTT  
United States Attorney

/s/ Courtney J. Linn  
COURTNEY J. LINN  
Assistant U.S. Attorney

The government's *ex parte* application is granted. This matter is set for a Status (pretrial scheduling) Conference on January 17, 2006, at 9:00 a.m. in Courtroom No. 5. The parties shall submit separate status reports not less than five court days prior to that date.

IT IS SO ORDERED.

DATED: November 22, 2005

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

---

<sup>1</sup> The United States previously filed a notice of related cases pursuant to Local Rule 83-123, alerting the Court that this action is related to the parallel criminal case, United States v. Matthew Wallace Schacter, CR S-05-59 DFL. The Court has not yet determined whether to relate the cases.